

UNITED STATES DISTRICT COURT  
For the District of Massachusetts

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BROWN & BROWN, LLP, )  
Plaintiff, )  
v. ) C. A. No. 05-cv-11016-NMG  
BARTON CRAIG, LEFKOWITZ, )  
GARFINKLE, CHAMPI & DERIENZO, )  
P.C., )  
Defendants. )  
\_\_\_\_\_  
)

**PLAINTIFF'S NON-OPOSITION TO DEFENDANT LEFKOWITZ, GARFINKLE,  
CHAMPI & DERIENZO, P.C.'S MOTION TO AMEND ANSWER**

Plaintiff Brown & Brown, LLP ("Brown & Brown") does not oppose Defendant Lefkowitz, Garfinkle, Champi & DeRienzo, P.C.'s ("LGC&D") September 28, 2005 Motion to Amend Answer.

By choosing not to oppose this motion, Brown & Brown does not concede the accuracy of the proposed amendment to LGC&D's Answer nor does Brown & Brown waive its right to use LGC&D's original Answer at trial, or otherwise.

Respectfully submitted,  
BROWN & BROWN, LLP  
By its attorneys,

/s/ Patrick J. Bannon

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Dated: October 12, 2005

**CERTIFICATE OF SERVICE**

I hereby certify that on this day a true copy of the Plaintiff's Non-Opposition to Defendant Lefkowitz, Garfinkle, Champi & DeRienzo, P.C.'s Motion To Amend Answer, was served upon the attorney of record for each party by mail/by hand/electronically.

By: \_\_\_\_\_ /s/ Patrick J. Bannon

Date: \_\_\_\_\_ October 12, 2005